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PTO/SB/01 (10-00)

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**DECLARATION  
AND  
POWER OF ATTORNEY  
FOR UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing      ☒ Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)  
OR

Attorney Docket Number      ETH1690CIP2

First Named Inventor      Howard Scalzo

**COMPLETE IF KNOWN**

Application Number      10/808,669

Filing Date      March 25, 2004

Group Art Unit      3731

Examiner Name      N/A

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PACKAGED ANTIMICROBIAL MEDICAL DEVICE AND METHOD OF PREPARING SAME**  
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) March 25, 2004 as United States Application Number or PCT International Application Number 10/808,669 and was amended on (MM/DD/YYYY) ☐

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



DECLARATION - Utility or Design Patent Application		
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.		
<b>Application Number(s)</b>	<b>Filing Date (MM/DD/YYYY)</b>	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/416,114,	October 04, 2002	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		
<b>Application Serial No.</b>	<b>Filing Date</b>	<b>Status</b>
10/367,497 10/603,317	15 February 2003 June 25, 2003	Pending Pending
I hereby appoint:  <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input checked="" type="checkbox"/> Practitioners at Customer Number <span style="border: 1px solid black; padding: 2px 10px;">000027777</span> →   <b>AND</b>   <input type="checkbox"/> Practitioner(s) named below:  <div style="display: flex; justify-content: space-between; width: 80%;"> <div><u>Name</u></div> <div><u>Registration Number</u></div> </div> </div> <div style="text-align: right; width: 30%;">           Place Customer Number Bar Code Label Here         </div> </div>		
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.		
Address all telephone calls to Blossom E. Loo at telephone number (732) 524-1596.		
Direct all correspondence to:    Customer Number <input checked="" type="checkbox"/> or Bar Code Label <span style="border: 1px solid black; padding: 2px 10px;">000027777</span> OR <input type="checkbox"/> Correspondence address below		
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

☐ A petition has been filed for this unsigned inventor

**Given Name**  
(first and middle [if any]) Howard

**Family Name**  
or Surname Scalzo

**Inventor's**  
**Signature**

*Howard Scalzo*

**Date**

*6/17/04*

**Residence: City** Kenilworth

**State** NJ

**Country** USA

**Citizenship** USA

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**State** NJ

**ZIP** 07033

**Country** USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SECOND INVENTOR:**

☐ A petition has been filed for this unsigned inventor

**Given Name**  
(first and middle [if any]) Jerome A.

**Family Name**  
or Surname Fischer

**Inventor's**  
**Signature**

*Jerome A. Fischer*

**Date**

*6/17/04*

**Residence: City** Warren

**State** NJ

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**ZIP** 07059

**Country** USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF THIRD INVENTOR:**

☐ A petition has been filed for this unsigned inventor

**Given Name**  
(first and middle [if any]) Stephen

**Family Name**  
or Surname Rothenburger

**Inventor's**  
**Signature**

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**Date**

*6/17/04*

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**ZIP** 08865

**Country** USA